

REMARKS

Claims 1-32, 34, 36 and 38-46 have been rejected under 35 U.S.C. § 103.

Applicants have amended Claim 1 by incorporating the subject matter of Claim 21.

Upon entry of the above amendment, Claims 1-20, 22-32, 34, 36 and 38-46 are all the claims pending in the application.

I. Paragraph No. 1: Rejection of Claims 1-6, 17-32, 34, 36 and 38-46 under 35 U.S.C. § 103(a)

Claims 1-6, 17-32, 34, 36 and 38-46 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,458,504 to Wachi et al. (“Wachi”) or the combination of JP 2001/310941 (“JP ‘941”) and 2001/328287 (“JP ‘287”) all further in view of U.S. Patent No. 6,027,850 to Kawakami et al. (“Kawakami”).

Applicants have amended to Claim 1 to recite that the laser has an output of 50mW or more at a linear velocity of 7 m/s or more. Applicants assert that Wachi, JP ‘941 and JP ‘287 fail to teach or suggest the use of a laser with an output of 50mW at a linear velocity of 7 m/s or more.

Linear velocity can be calculated by multiplying drum rotation rate, drum diameter and π , and then dividing by 60 seconds. Thus, the laser described in the specification on page 147 with an output power of 110 mW has a linear velocity of 9.94 m/s.

In Wachi, the linear velocity of a laser with an output power of 110 mW is 6 m/s. *See* col. 34, lines 1-2. In JP ‘491, the linear velocity of a laser with an output power of 110 mW is 4

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m/s. *See* col. 16, lines 41-42. In JP '287, the linear velocity of a laser with an output power of 110 mW is 6 m/s. *See* col. 28, lines 45-46.

With respect to Wachi, Applicants further note that an image size of 30 cm x 40 cm is disclosed. *See* col. 33, lines 47-49. In the present invention, the image size is 515 mm x 728 mm. *See* Claim 1.

Applicants further note that Wachi only teaches that its image-forming method has the advantages of improvements in reflection density, transfer rate and image quality. The present invention, however, not only exhibits improved reflection density, transfer rate and image quality, but also exhibits a lower density fluctuation caused by humidity changes. The present invention is able to accomplish these unexpected improvements even when laser recording is performed at a high energy using laser light in the multibeam two-dimensional arrangement under various temperature and humidity conditions. Applicants assert that the improved characteristics of the present invention are not suggested by Wachi.

Applicants further assert that the teachings of Kawakami would not motivate a person of ordinary skill in the art to modify the teachings of the prior art in the manner suggested by the Examiner. Kawakami does not teach a light-to-heat conversion layer that contains a matting agent with a particle size of 0.3 to 30 μm . In addition, the advantages of Kawakami are described as improved sheet holding capability, less-noticeable suction hole markings and improved dot reproduceability.

Applicants therefore conclude that one of ordinary skill in the art would not have the requisite motivation to modify the teachings of Wachi, JP '491, JP '287 and Kawakami in order to arrive at the present invention.

Applicants additionally assert that one of ordinary skill in the art would not have expected the superior qualities of the instantly-claimed multi-color image forming material. The present invention exhibits superior recording sensitivity, decreased humidity and temperature sensitivity and a stable transfer density.

For the foregoing reasons, Applicants respectfully request that the rejection of Claims 1-6, 17-32, 34 and 38-46 over Wachi, JP '491 or JP '287 in view of Kawakami be reconsidered and withdrawn.

II. Paragraph No. 2: Rejection of Claims 1-6, 17-32, 34, 36 and 38-46 under 35 U.S.C. § 103(a)

Claims 1-6, 17-32, 34, 36 and 38-46 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wachi '504 or the combination of JP '941 and JP '287 all further in view of Kawakami as set forth in Paragraph No. 1 above in view of U.S. Patent No. 6,468,634 to Miyake et al. ("Miyake").

Applicants respectfully assert that the prior art asserted in this rejection does not provide one of ordinary skill in the art with the requisite motivation to arrive at the present invention for the reasons set forth in the previous section.

With respect to the teachings of Miyake, Applicants note that Miyake discloses the use of a laser with an output power of 110 mW and a linear velocity of 4 m/s. In the present invention,

a laser with an output power of 50 mW or more and a linear of velocity of 7 m/s or more is described. Thus, Miyake does not provide any additional motivation to one of ordinary skill in the art to arrive at the instantly claimed image-forming material.

Applicants additionally assert that superior characteristics of the claimed invention could not have been expected from the teachings of Wachi, JP '491, or JP '287 in view of Kawakami and Miyake.

Accordingly, Applicants respectfully request that the rejection of Claims 1-6, 17-32, 34, 36 and 38-46 be reconsidered and withdrawn.

III. Paragraph No. 3: Rejection of Claims 1-6, 17-32, 34, 36 and 38-46 under 35 U.S.C. § 102(e)

Claims 1-6, 17-32, 34, 36 and 38-46 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/187418 to Nakamura et al. ("Nakamura '418").

Applicants respectfully assert that Nakamura '418 fails to teach or suggest each and every element recited in the claims. Specifically, Applicants assert that Nakamura fails to teach the feature of a laser with an output power of 50 mW or more and a linear velocity of 7 m/s or more. Nakamura's teachings are limited to a laser with a output of 110 mW and a linear velocity of 4 m/s. As a result, Nakamura cannot achieve a multicolor image forming material which is capable of producing a quality image. Nakamura's image forming material also does not exhibit the stable transfer density and decreased temperature and humidity sensitivity of the present invention.

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Accordingly, Applicants respectfully assert that the 35 U.S.C. § 102 rejection be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Patrick F. Gallagher
Registration No. 54,109

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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